

Message Text

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PAGE 01 NEW DE 06477 251313Z
ACTION HEW-06

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TAGS: TPHY OSCI TBIO IN
SUBJECT: DHEW/PHS/NIH/SFPC-AGREEMENT 01-024-N,
COLLABORATIVE NEUROLOGIC STUDIES (BACHHAWAT, MUKHERJEE,
AUSTIN)-OFFICIAL TRAVEL OF JAMES AUSTIN

REF: STATE 94910, STATE 95504

1. SUMMARY: DR. JAMES AUSTIN'S VISIT TO NEW DELHI APRIL 15-20 PROVIDED A USEFUL OPPORTUNITY FOR HIM TO CONSULT WITH HIS COLLEAGUES, ESPECIALLY DR. BIMAL BACHHAWAT, AND TO GET A CLEAR READING OF DR. GOPALANS POSITION ON THIS CONTROVERSIAL PROJECT. DR. GOPALAN SAID HE WANTED TO FUND THIS PROJECT UNDER SFCP, BUT ONLY IF FINAL APPROVAL COULD BE OBTAINED BEFORE THE END OF JULY. IN VIEW OF THIS DEADLINE, WE BELIEVE THAT THE OUTLOOK FOR THIS PROJECT UNDER SFCP IS POOR. END SUMMARY.

2. SCIATT AND DR. AUSTIN WENT OVER REFTELS FIRST ON THE TELEPHONE SHORTLY AFTER HIS ARRIVAL THEN IN GREATER DETAIL AT THE EMBASSY. DR. AUSTIN'S DISCUSSIONS WITH HIS COLLEAGUES WERE THUS ABLE TO TAKE INTO ACCOUNT THE CURRENT NIH POSITION ON HIS PROJECT. DR. BACHHAWAT HAD COME UP TO NEW DELHI TO SEE HIM AND DR. AUSTIN SPENT THE BETTER PART OF FOUR DAYS WITH HIM, GOING OVER WHAT WOULD BE INVOLVED IN UPDATING THE PROJECT. BOTH AGREED THAT SOME UPDATING WOULD BE NECESSARY BUT FELT THAT THE
UNCLASSIFIED

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PAGE 02 NEW DE 06477 251313Z

NECESSARY REDRAFTING COULD BE DONE QUITE EASILY.

3. DR. AUSTIN WAS TO MEET WITH DR. MUKHERJEE IN CALCUTTA ON APRIL 21 AND 22, WITH DR. BACHHAWAT ALSO PRESENT FOR AT LEAST SOME OF THESE DISCUSSIONS. NO MEANINGFUL JUDGMENT COULD BE REACHED ON WHETHER IT WOULD BE FEASIBLE TO MAKE THE PROJECT CONFORM TO CURRENT HEW

REGULATIONS ON THE PROTECTION OF HUMAN SUBJECTS
AND ON FETAL RESEARCH UNTIL DR. AUSTIN AND DR. MUKHERJEE
HAD GOTTEN TOGETHER. DR. AUSTIN WILL BE REPORTING TO NIH
ON THE OUTCOME OF HIS TALKS IN CALCUTTA.

4. IT DEVELOPED IN THE COURSE OF DR. AUSTIN'S CONVERSATIONS
IN NEW DELHI THAT SOME KEY PIECES OF CORRESPONDENCE HAD
EITHER GONE ASTRAY OR NOT BEEN SENT TO ALL THE INTERESTED
PARTIES. THESE INCLUDED A LETTER FROM DR. MUKHERJEE WRITTEN
LAST OCTOBER IN AN ATTEMPT TO CONFORM TO HEW
REGULATIONS. WE RECOGNIZE THAT THIS HAS NOW BEEN OVERTAKEN
BY EVENTS, BUT IT WOULD SUGGEST THAT THE INDIAN SCIENTISTS HAVE
TRIED TO BE MORE RESPONSIVE THAN MATERIAL AVAILABLE
TO NIH INDICATES.

5. SCIATT AND DR. AUSTIN ALSO MET WITH DR. GOPALAN OF ICMR.
SCIATT HAD PREPARED FOR THIS MEETING BY SENDING DR.
GOPALAN A LETTER INCLUDING THE GIST OF NIH POSITION AS
CONVEYED IN REFTEL A. DR. GOPALAN AS WE HAD EXPECTED, TOOK A
TOUGH LINE. AFTER A BRIEF PREAMBLE IN WHICH HE EXPRESSED HIS
STRONG BELIEF IN THE VALUE OF COLLABORATIVE RESEARCH,
HE SAID THAT HE FELT THIS PROJECT HAD BEEN DELAYED TOO
MANY TIMES. HIS FIRST PREFERENCE WAS STILL FOR HAVING IT
GO THROUGH AS AN SFCP PROJECT. HE URGED DRS. BACHHAWAT
AND MUKHERJEE TO REWRITE IT, UPDATING THE TECHNICAL ASPECTS
AND MAKING PROCEDURES CONFORM TO HEW
UNCLASSIFIED

UNCLASSIFIED

PAGE 03 NEW DE 06477 251313Z

REGULATIONS. DR. BACHHAWAT WHO WAS ALSO PRESENT,
INDICATED THAT HE FELT THIS COULD BE DONE
BY SOME TIME IN MAY. DR. GOPALAN WOULD THEN REQUEST NIH APPROVAL
FOR THE PROJECT. (HE DID NOT BELIEVE IT WOULD BE NECESSARY TO OBTAIN
A NEW GOI CLEARANCE FOR A REWRITTEN
PROJECT). IF NIH HAD NOT CLEARED IT BY THE END OF
JULY, HE WOULD GO AHEAD AND FUND THE PROJECT FROM ICMR
RESOURCES.

6. COMMENT: IT IS CONCEIVABLE THAT THERE COULD BE SOME
FLEXIBILITY IN THIS DEADLINE IF AFTER RECEIVING A FORMAL PROPO-
SAL WE WERE TO APPROACH DR. GOPALAN WITH A SPECIFIC TIME ESTIMATE
FOR NIH TO CONSIDER THE PROJECT. HOWEVER WE SHOULD
NOT COUNT ON THIS, AS DR. GOPALAN'S ATTITUDE
AT THIS POINT IS "FISH OR CUT BAIT." THE DEADLINE
HE HAS SET FOR HIMSELF STRIKES US AS
UNREALISTIC, BASED
ON PAST EXPERIENCE. THE PROSPECTS FOR GETTING THIS PROJECT
THROUGH UNDER SFCP ARE CONSEQUENTLY NOT BRIGHT.

7. SCIATT AND DR. AUSTIN DISCUSSED HOW WE MIGHT GO ABOUT
SAFEGUARDING HIS INTEREST IN THE PROJECT IF IT

IS NOT TAKEN UP AS A SFCP PROJECT. DR. GOPALAN HAD SAID AT THE
OUTSET OF OUR DISCUSSION THAT HE "GAVE HIS BLESSING"
TO DR AUSTIN'S CONTINUED COLLABORATION WITH HIS
INDIAN COLLEAGUES REGARDLESS OF WHETHER THE PROJECT WAS
FUNDED UNDER SFCP SO THAT AT THAT LEVEL THERE IS NO PROBLEM WITH
THE CONCEPT OF DR AUSTIN RETAINING SOME INVOLVEMENT.
THE REAL DIFFICULTY IS THAT DR AUSTIN BELIEVES, AND THE
HISTORY OF THE PROJECT SUGGESTS, THAT PERSONAL CONSULTATIONS
ARE ESSENTIAL TO MEANINGFUL COLLABORATION-- AND DR.
AUSTIN HAS NO TRAVEL FUNDS OTHER THAN THOSE HE
MIGHT BE ABLE TO OBTAIN UNDER A PROJECT. WE WILL BE
GIVING FURTHER THOUGHT TO HOW BEST TO TACKLE THIS
PROBLEM, SHOULD IT ARISE.

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UNCLASSIFIED

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PAGE 04 NEW DE 06477 251313Z

UNCLASSIFIED

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